IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

–

–

WEDNESDAY, THE TWENTY FOURTH DAY OF AUGUST

TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

* * *

–

WP.NO.18732 OF 2005

Between:

Vandrasi Jhansi Lakshmi … Petitioner

Versus

The Mandal Revenue Officer

Visakhapatnam Rural,

Visakhapatnam district

& Another. … Respondents

Counsel for the Petitioner: Mr.M.Subrahmanyam (3372)

Counsel for the Respondents: GP for Revenue

O R D E R :

Questioning the inaction of the respondents in considering the application dated 07-2-2005 submitted by the petitioner seeking to issue pattedar passbooks and title deeds by incorporating the name of the petitioner in place of her husband, late Mr.V.Appa Rao in patta no.730 bearing DR.No.1172/71 in an extent of Acs:3-70 cents in survey no.362 of Madhurawada village of Visakhapatnam district, this writ petition is filed.

The facts of the case are that the husband of the petitioner made an application for assignment of land to the respondents. On the basis of the said application, the respondent issued an assignment patta no.730 bearing

DR.No.1122/71 in Form-D in the year 1971 in survey no.362 of Madhurawada village, Visakhapatnam district to an extent of Acs:4-25 cents. In the revenue records, the name of the husband of the petitioner is incorporated as owner and pattedar. Since the date of grant of assignment of patta, the land is under the occupation and enjoyment of the petitioner. The petitioner is paid land revenue regularly till it was abolished by the Government.

The petitioner submits that out of total extent of Acs:4-25 cents, in the year 1995, an extent of Ac:0-55 cents of land has been acquired by the National Highway Authority of India for the purpose of road widening. Thus, the remaining land in an extent of Acs:3-70 cents is in her possession and the same is being used for agricultural purpose.

While things stood thus, her husband, Mr.V.Appa Rao died on 02-12-1998 leaving behind the petitioner and three sons. After the demise of her husband, she acquired the right over the said land as owner and pattedar thereof. Consequent upon the death of her husband, the petitioner also obtained legal heir certificate from the first respondent and she has submitted copy of the death certificate of her husband, vide L.DIS.No.630/98/A, dated 22-12-1998.

Now the main grievance of the petitioner is that after the death of her husband, she approached the respondents on several occasions and requested them to incorporate her name in the place of her husband and also issue pattedar passbook and title deeds in accordance with Section 4 of AP Rights in Land and Pattedar Passbooks Act, 1971. As there was no response, she made a

representation on 07-2-2005 for the said purpose but the same is pending consideration. Therefore, she filed the present writ petition.

Considering the facts and circumstances of the case, without going into the merits or otherwise, I deem it appropriate to dispose of the writ petition at the admission stage directing the respondents to consider the representation dated 07-2-2005 submitted by the petitioner and pass appropriate order on merits and in accordance with law, within six weeks, from the date of receipt of a copy of this order, after giving reasonable opportunity of hearing the petitioner.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

AUGUST 24th, 2005. ----------

I s L. ELIPE DHARMA RAO , J.